

Annual Report 2006

MICHIGAN COURT OF APPEALS

District I District II District III District IV

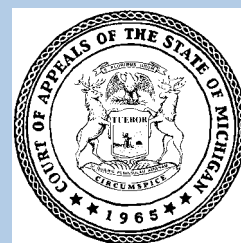
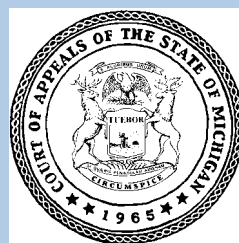
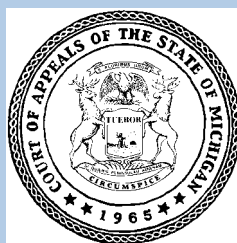


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Introduction

The Michigan Court of Appeals was created by the Constitution of 1963, Article VI, Section 1.

The Court of Appeals began operation in 1965 with a bench of nine judges. As filings with the Court grew from a low of 1,235 in 1965 to a high of 13,352 in 1992, the Legislature increased the size of the bench to 12 judges in 1969, to 18 judges in 1974, to 24 judges in 1986, and to 28 judges in 1993. The Court was initially comprised of only three districts, with principal offices in Lansing, Detroit and Grand Rapids. The Legislature apportioned the state into four districts in the mid-1990's, and the office that is now located in Troy was opened.

In 1996, the Court had facilities in six locations across the state. About 250 employees (judges and staff) worked in these locations. By the close of 2006, the Court had reduced its operations to facilities in five buildings in the four districts across the state. Further, the Court staff had been reduced by about 10% from 28 judges and about 222 staff in 1996, to 28 judges and about 199 staff in 2006. And yet, during this same period, the Court's performance reports reflect positive change in every measure. The Court has reduced time on appeal in all opinion cases from 653 days in 2001¹ to 423 days by the close of 2006. The Court has reduced time on appeal in cases involving the custody of children and the termination of parental rights from 325 days in 2001 to 219 days at the close of 2006. The Court has improved the percentage of all cases that are 18 months or younger at disposition from 66.92% in 2002 to 86.30% by the close of 2006.

The people who are the Court of Appeals work hard to effectuate its mandate: "To secure the just, speedy, and economical determination of every action and to avoid the consequences of error that does not affect the substantial rights of the parties." Michigan Court Rule 1.105.

Sandra Schultz Mengel, Chief Clerk

Larry Royster, Research Director

¹ The Court began a delay reduction initiative in March 2002. The year 2001 is used as the benchmark for measuring the Court's success in reducing delay.

In Memoriam



Justice John Warner Fitzgerald, age 82, passed away on July 7, 2006. Justice Fitzgerald received a bachelor's degree from Michigan State University and a law degree from the University of Michigan Law School. He was legal counsel for the Michigan Senate, served as a State Senator, and then engaged in private practice until he was elected to the newly created Court of Appeals in 1964. Justice Fitzgerald served on this Court until he was appointed to the Michigan Supreme Court in 1974. In 1982, his last year on the Supreme Court, he served as Chief Justice. In 2005, Justice Fitzgerald returned to the Court of Appeals for a special session of the Court to commemorate the Court's 40th anniversary.

Judges of the Court of Appeals

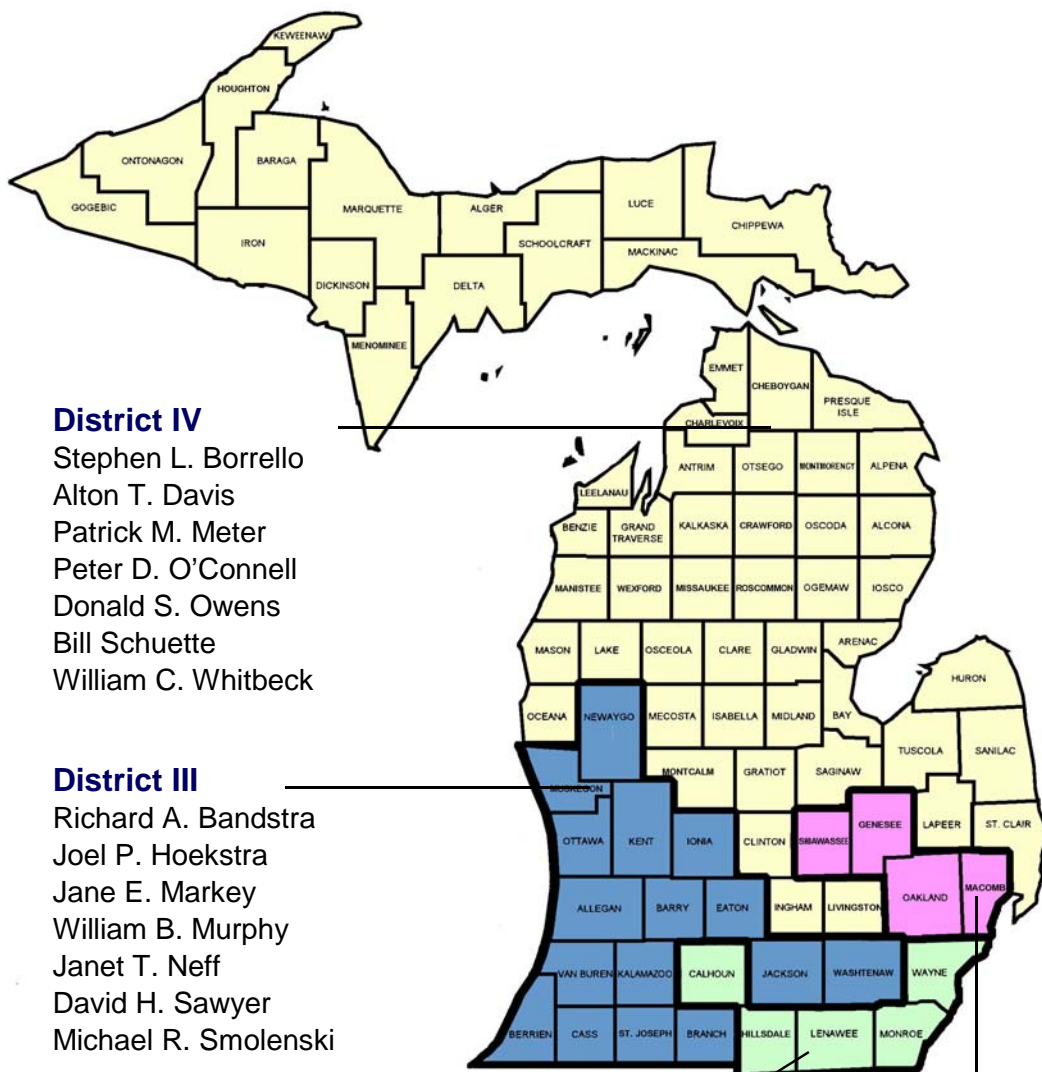
Although divided into four districts for election purposes, the Court's twenty-eight judges sit in panels of three and rotate with equal frequency with each of the other judges and among the three courtroom locations (Detroit, Lansing and Grand Rapids). A decision of any panel of judges is controlling statewide and is reviewable by the Michigan Supreme Court by leave application.

Judges Who Served in 2006	Joined	Current Term
Whitbeck, William C., Chief Judge	1997	2011
Zahra, Brian K, Chief Judge Pro Tem	1999	2013
Sawyer, David H.	1987	2011
Murphy, William B.	1988	2013
Cavanagh, Mark J.	1989	2009
Neff, Janet T.	1989	2013
Jansen, Kathleen	1989	2013
Fitzgerald, E. Thomas	1991	2009
White, Helene N.	1993	2011
Saad, Henry William	1994	2009
Bandstra, Richard A.	1995	2009
Hoekstra, Joel P.	1995	2011
Markey, Jane E.	1995	2009
O'Connell, Peter D.	1995	2013
Smolenski, Michael R.	1995	2013
Gage, Hilda R. *	1997	2007
Talbot, Michael J.	1998	2009
Wilder, Kurtis T.	1998	2011
Meter, Patrick M.	1999	2009
Owens, Donald S.	1999	2011
Cooper, Jessica R.	2001	2013
Kelly, Kirsten Frank	2001	2013
Murray, Christopher M.	2002	2009
Donofrio, Pat M.	2002	2011
Hood, Karen Fort	2003	2009
Schuetz, Bill	2003	2009
Borrello, Stephen L.	2003	2013
Davis, Alton T.	2005	2009
Servitto, Deborah A. **	2006	2013

* Resigned effective January 15, 2006.

** Appointed effective March 23, 2006.

Judges by District in 2006



District IV

Stephen L. Borrello
Alton T. Davis
Patrick M. Meter
Peter D. O'Connell
Donald S. Owens
Bill Schuette
William C. Whitbeck

District III

Richard A. Bandstra
Joel P. Hoekstra
Jane E. Markey
William B. Murphy
Janet T. Neff
David H. Sawyer
Michael R. Smolenski

District I

Karen Fort Hood
Kirsten Frank Kelly
Christopher M. Murray
Michael J. Talbot
Helene N. White
Kurtis T. Wilder
Brian K. Zahra

District II

Mark J. Cavanagh
Jessica R. Cooper
Pat M. Donofrio
E. Thomas Fitzgerald
Hilda R. Gage*
Kathleen Jansen
Henry William Saad
Deborah A. Servitto**

* Resigned effective January 15, 2006.

** Appointed effective March 23, 2006.

Ace Award

On June 28, 2006, Court Officer Robert Kwiatkowski of the Detroit Office was presented with the Court of Appeals' Ace Award in recognition of his work at the Court. The Ace Award is given to outstanding individuals who are selected by the Ace Award committee of judges and administrators from among those employees who are nominated by their peers each year.

The Ace Award is named after Donald L. ("Ace") Byerlein, who served as court administrator from the Court's inception in 1965 until his retirement in 1997. Byerlein was known for being conscientious, dedicated, loyal, selfless, upbeat, civil, and possessed of the type of "can-do" attitude that characterizes the best employees at the Court.

Robert Kwiatkowski was honored for demonstrating these attributes in his work as Lead Court Officer in the First District Office (Detroit). Bob is known for the cheerful and professional way in which he accomplishes the many responsibilities that he has assumed in Detroit. He is appreciated for his attention to details large and small, both in his contacts with members of the public and in his work with judges and staff.



Robert Kwiatkowski

Prior Ace Award honorees include:

- 1998 -- Mary Lu Hickner, Deputy Clerk
- 1999 -- Deborah Messer, Judicial Assistant
- 2000 -- John Pratt, Court Officer
- 2001 -- Mark Stoddard, District Commissioner
- 2002 -- Suzanne Gammon, Judicial Assistant
- 2003 -- Elizabeth Gordon, Research Support
- 2004 -- Carol Abdo, PC Network Support Specialist *and*
Bobbie Dembowski, District Commissioner Assistant
- 2005 -- Thomas Rasdale, Assistant Clerk

Service Recognition

In 2005, the Court instituted a Service Recognition program whereby all current employees who have completed at least five years of Service Recognition time receive Service Recognition pins and certificates reflecting their years of service to the Court.

In June 2006, Service Recognition ceremonies were conducted in each of the Court's four principal locations. Judges, administrators, and managers awarded a total of 31 pins to those individuals who report directly to them.



Court Performance

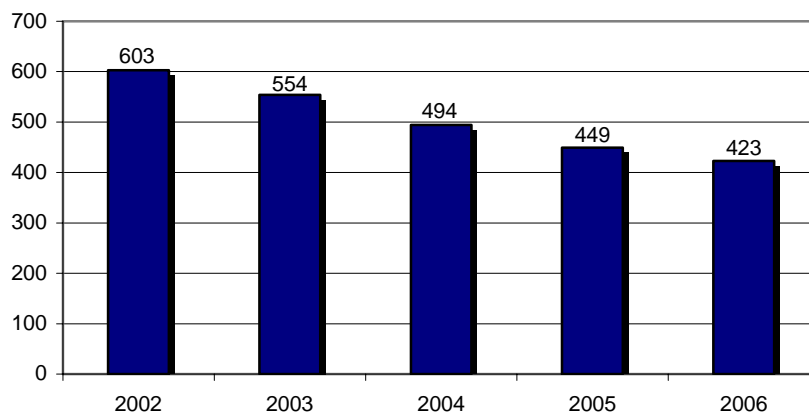
Delay Reduction

In 2002, the judges of the Court of Appeals adopted a Delay Reduction Plan focused on reducing the time between filing and disposition of all cases resolved by an opinion of the Court. The Preliminary Report on Delay Reduction, as well as all subsequent Progress Reports, can be accessed on the Court's website at <http://courtofappeals.mijud.net/resources/drwg.htm>.

Cases filed with the Court of Appeals are resolved either by opinion or order. Order cases move quickly from filing to disposition because the dispositive orders are usually issued before the case is eligible for review by a staff attorney and for submission for oral argument before a panel of judges. Opinion cases move more slowly because their facts and issues are not amenable to disposition by order, and they are thus reviewed and reported on by a staff attorney and then submitted to a panel of judges for resolution by opinion.

For the approximately 3,100 cases disposed by opinion in 2001, the average time from filing to disposition was 653 days. Under the delay reduction plan that was implemented in 2002, the average time to disposition by opinion dropped to 603 days in 2002, 554 days in 2003, 494 days in 2004, 449 days in 2005, and 423 days in 2006. Between 2001 and 2006, average time to disposition by opinion was reduced by 230 days (nearly 8 months).

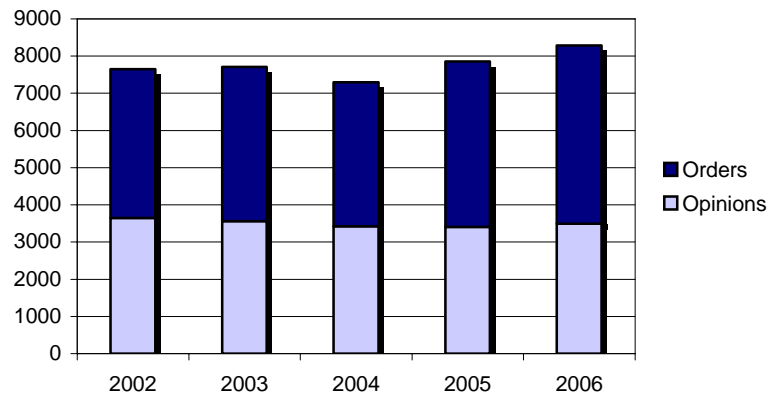
Delay Reduction - Days to Opinion



Court administrators use various delay reduction measures to enhance the preparation and assignment of cases to judicial panels in a manner that balances age and speed. The caseload is carefully monitored at all stages to ensure that cases move smoothly and are assigned to case call as quickly as possible after they are available.

The Court issued more opinions in 2006 than in the two prior years. Compare 3,494 opinions in 2006 with 3,409 opinions in 2005 and 3,424 opinions in 2004. However, the ratio of opinions to dispositive orders declined in the same period, with progressively more orders than opinions being used to dispose of pending appeals.

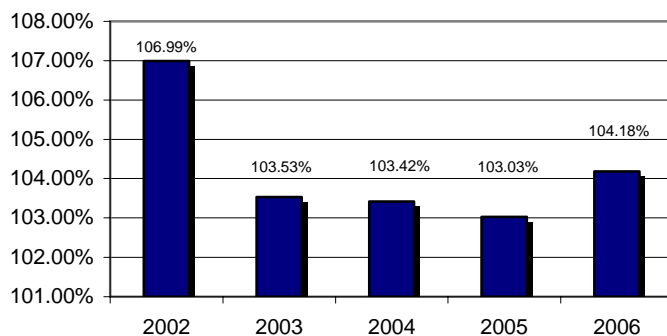
Dispositions by Opinion & by Order



Performance Trends

The Court of Appeals tracks several measures of performance. The first measure is clearance rate,

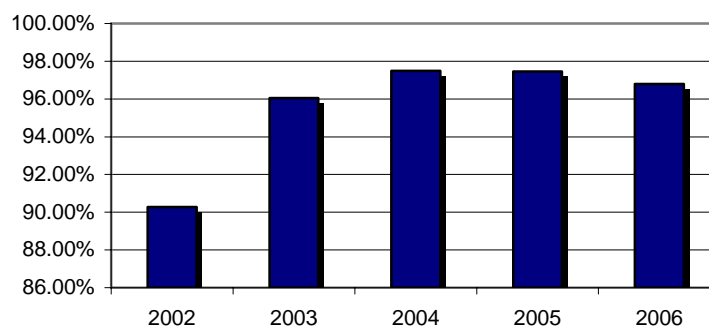
Five-Year Clearance Rates



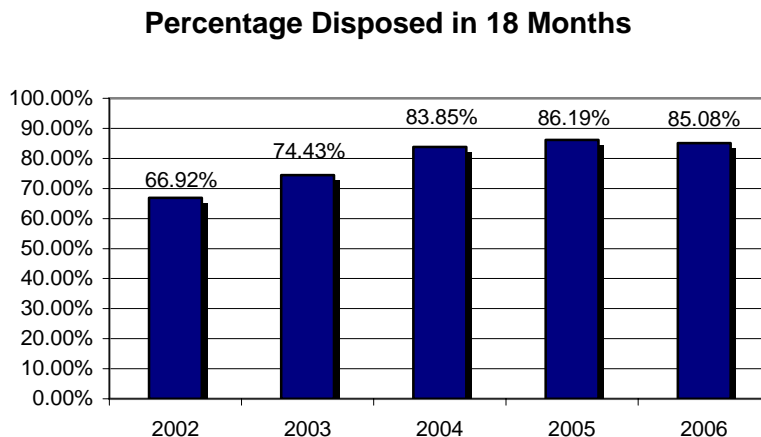
which reflects the number of cases disposed compared to the number of cases filed. In 2006, the Court posted a clearance rate of 104.18%, disposing of 8,278 cases during the same period when 7,951 cases were filed. This is a new high, following several years in which the clearance rate hovered at roughly 103%.

A second performance measure tracked by the Court in recent years is the relative age of the pending caseload. Under this measure, an 18-month standard is applied to all pending cases, with the measure reporting the percentage of pending cases that are 18 months old or younger. At the close of 2006, 96.79% of the Court's pending caseload was 18 months old or younger.

Cases Pending 18 Months Or Less



The third performance measure tracks the percentage of cases that were actually disposed within 18 months of filing. In 2001, only 67.13% of all opinion and order cases were disposed in 18 months or less. By 2006, 85.08% of all opinion and order cases were disposed in 18 months or less.



Five-Year Trends

For the past five years, filings in the Court of Appeals have increased 11% overall from 7,156 filings in 2002 to 7,951 filings in 2006.

In the same period, dispositions in the Court of Appeals increased slightly more than 8% from 7,647 dispositions in 2002 to 8,278 dispositions in 2006.

And during this period, the percentage of cases disposed within 18 months of filing increased more than 27% from 66.92% in 2002 to 85.08% in 2006.

Clerk's Office

Dependency Appeals

During 2006, the Clerk's Office continued its special review of all cases involving termination of parental rights, as a continuation of a project that began in September 2002 at the invitation of then Michigan Supreme Court Chief Justice Maura D. Corrigan. A

preliminary report was issued in November 2002, a final report was issued in May 2003, and a sweeping set of court rule changes were adopted by the Supreme Court, effective May 1, 2004. The reports are found at <http://courtofappeals.mijud.net/resources/dawg.htm>. The bulk of the rule changes are located in Michigan Court Rule 3.977(I).

Special focus on dependency appeals continued in 2006. Time to disposition was cut by more than 30% between 2001 and 2006.

The new rule directs that, for purposes of appeal of an order terminating parental rights, the trial court should appoint counsel and order necessary transcripts on a State Court Administrative Office form that then functions as the claim of appeal, similar to a process that has been used in criminal cases for many years under Michigan Court Rule 6.425(F). Using the same form to appoint counsel, order transcripts, and initiate the appeal is projected to cut more than 28 days from time to disposition, compared to past practice and procedure.

Notably, one form accomplishes the trial court's appointment of counsel and order of the necessary transcripts, while also serving as the claim of appeal filed with the Court of Appeals by the trial court. Coupled with other rule changes, this procedure is anticipated to reduce the average time to disposition to 210 days in dependency appeals. In 2001, the average dependency appeal was disposed by opinion in 325 days. By the close of 2006, this number had been reduced by more than 30% to 219 days.

Expedited Track for Summary Disposition Appeals

The Case Management Work Group, an interdisciplinary group comprised of Court judges and administrators and State Bar of Michigan representatives, has been meeting since late 2003 to consider how to further expedite opinion cases at the Court. A two-year experiment in expedited case processing for appeals from orders granting or denying summary disposition began in January 2005 and continued through 2006. The Case Management Work Group's reports can be found at <http://courtofappeals.mijud.net/resources/cmwg.htm>.

The plan is embodied in the Supreme Court's Administrative Order 2004-5 that became effective on January 1, 2005. For a two-year project period that was initially intended to end December 31, 2006, appeals from orders on motion for summary disposition were automatically placed on an expedited track under which most such appeals were to be disposed within about 180 days of filing. The track imposed substantially shorter deadlines for transcript production. But if the transcripts are timely filed, a premium page rate is owed to the court reporter or recorder. Briefs on appeal are shorter and must be accompanied by copies of the summary disposition motion, answer, and briefs in support from the trial court. As soon as briefing is concluded, the case is to be sent to the research division for immediate review, and then it is immediately assigned to a panel of judges for disposition.

Expedited track for appeals from summary disposition orders lagged in 2006 compared to 2005.

Detailed statistics on the expedited track can be found at http://courtofappeals.mijud.net/resources/90_90_Reports.htm.

Ultimately, about 1,500 cases were processed on this track in 2006. Sixty-one percent were appeals by right. The remainder were applications for leave to appeal that were eligible for the track if the application was granted. Of the

cases that stayed on the track, 95% of transcripts were timely filed, reflecting the positive impact of the increased page rate that was specially enacted by the Legislature for this project. And despite the substantially shorter time limits, 87% of appellants' briefs and 88% of appellees' briefs were timely filed.

However, the "success" of the track had a negative impact on the submission and disposition of the cases on the merits. From April through December 2005, some 480 cases were submitted for disposition on the merits. Initially, about 70% of submissions went to summary panels that are designed to dispose of cases without argument. By the end of 2005, however, the balance had shifted due to the size of the caseload and the unexpected complexity of an increasing share of the cases, and the full-year numbers reflect that only 38% were submitted on summary panel and about 62% on panels that entertained oral argument if it was preserved. In 2006, this shift continued, with 67% of the cases submitted on regular panels with oral argument and only 33% submitted to summary panels.

Finally, the Court found that the complexity of these cases led to a substantial inability to meet the 180-day deadline for disposition. Statistics for 2005 reflected that 69.3% of opinions in these cases were issued within the 180-day deadline. In 2006, the situation continued to decline, and only 22% of the opinions in these cases were issued within the 180-day deadline.

By mid 2006, the declining performance trends led the Case Management Work Group to review all aspects of the track to determine whether to recommend that the experiment be concluded at the end of 2006 or whether it could be modified to better meet its goals. A Work Group report was submitted to the Supreme Court in October 2006 that recommended changes that were principally focused on reducing the number of complex cases that were processed on the expedited track. The Supreme Court adopted the recommendations for a period of one year. Second Amended Administrative Order 2004-5 was issued on November 9, 2006, with an effective date of January 1, 2007. The Staff Comment to the Second Amended AO at <http://courts.michigan.gov/supremecourt/Resources/Administrative/2004-5-Amended.pdf> details the changes.

Electronic Filing

An IBM-designed electronic filing system was deployed in 2005 for filing certain documents, such as appellate briefs, in appeals from orders entered by the Michigan Public Service Commission. In September 2006, due to lack of Judicial Branch resources, the IBM system was taken offline. In advance of that date, however, the Court of Appeals renewed its commitment to electronic filing on appeal and selected Wiznet, Inc., a Florida-based company, to design a system that is self-funded by user fees. The Wiznet system went online in October 2006 for MPSC appeals. By mid-2007, the Court expects to add electronic service to the electronic filing capabilities that are now offered. During this same period, the Clerk's Office has collaborated with other Court of Appeals divisions to enhance the electronic capabilities of many types of Court documents for internal use.

Attorney Seminars

In late 2006, Lansing District Clerk Hannah Watson debuted a one-day attorney seminar that she presented twice in Lansing and once, in an abridged version, in Oakland County. The seminar is an outreach effort that educates participants on Court structure, processes and procedures; the appellate court rules; the internal operating procedures; and Internet resources that are provided by the Court of Appeals and the Supreme Court such as the opinion search archive, case docket inquiries, the electronic opinion release listserv, Clerk's Office locations with maps and driving directions, case call argument schedules, judicial biographies, etc. The seminars were well attended and will be offered in other Michigan locations in 2007.

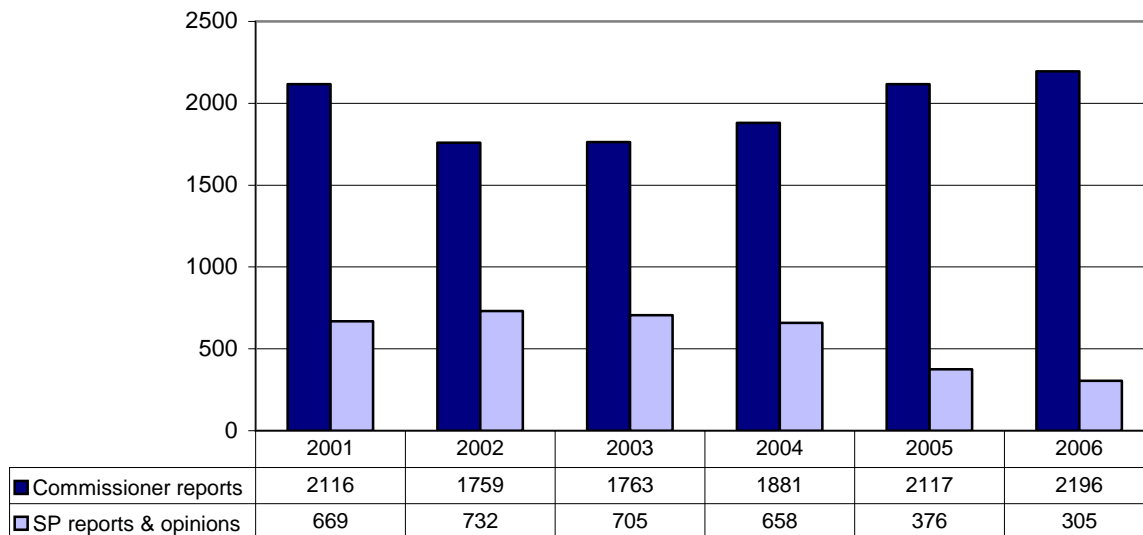
Research Division

Commissioners

The commissioners are experienced central staff attorneys whose primary functions are to prepare written reports in (1) discretionary matters such as applications for leave to appeal, (2) motions to withdraw as counsel or to remand, and (3) complaints for writs of habeas corpus, superintending control, and mandamus. The commissioners also review incoming emergency applications and work closely with the judges to resolve priority matters on an expedited basis. Several commissioners also prepare reports and proposed opinions in cases assigned to summary panels. The commissioners are located in each of the four district offices — Detroit, Troy, Lansing and Grand Rapids.

In 2006, the commissioners prepared reports in 2,196 leave applications and miscellaneous matters and 305 reports and proposed opinions in cases assigned to summary panels. The chart below compares the 2006 production of both commissioner reports and summary panel reports with the production numbers from the prior five years.

Commissioner Production



Prehearing, Senior Research and Contract Attorneys

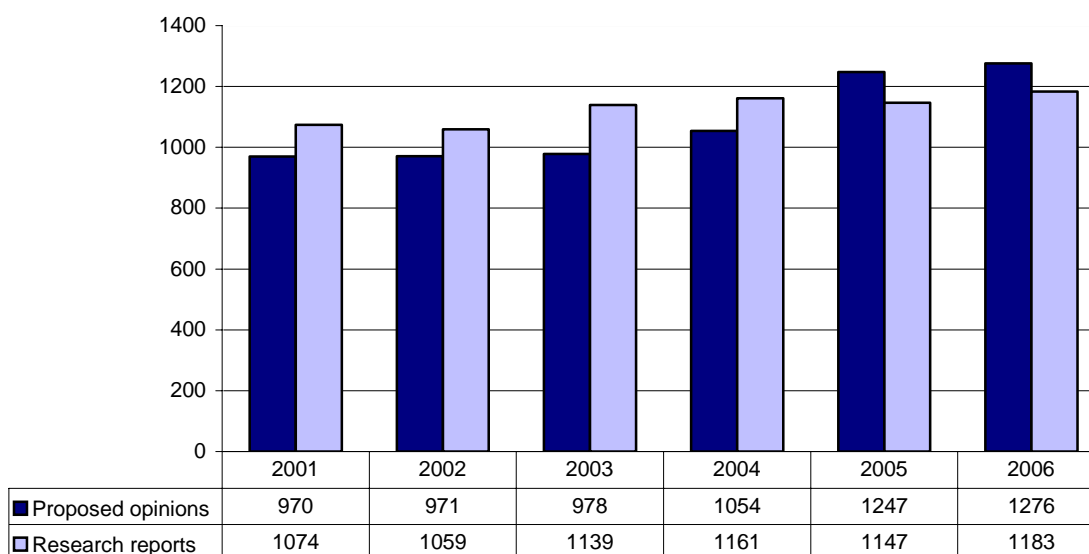
Prehearing attorneys are typically recent law school graduates who are hired for a period of one to three years. Although these graduates are primarily recruited from the in-state law schools, the Research Division also made on-campus recruitment visits in 2006 to Howard University Law School

in Washington, D.C., the University of Toledo College of Law in Ohio, the University of Notre Dame Law School in Indiana, and Valparaiso University School of Law in Indiana. In addition, many students from other out-state law schools were interviewed at the Court's prehearing offices. During the year, the prehearing staff represented the law schools of Ave Maria, Thomas M. Cooley, Michigan State University, University of Michigan, University of Detroit Mercy, Wayne State University, American University, Harvard University, Howard University, John Marshall, Loyola University Chicago, Notre Dame, Oklahoma City University, Rutgers, Southern Methodist, and Valparaiso. Most prehearing attorneys ranked in the top 10-15% of their graduating classes.

The prehearing attorneys prepare research reports in cases that are determined to be in the mid-range of difficulty or length. The reports are confidential intra-Court documents that contain a comprehensive and neutral presentation of the material facts, a recitation of the issues raised by the parties, a summary of the parties' arguments, a thorough analysis of the law and facts on each issue, and a recommendation as to the appropriate disposition. In cases involving non-jurisprudentially significant issues, the attorneys also draft proposed opinions that accompany the reports. Prehearing has offices in Detroit, Lansing and Grand Rapids.

In 2006, prehearing attorneys prepared 1,276 reports and 1,183 proposed opinions for case call. The chart below compares the production numbers of prehearing from 2001 through 2006.

Prehearing Production



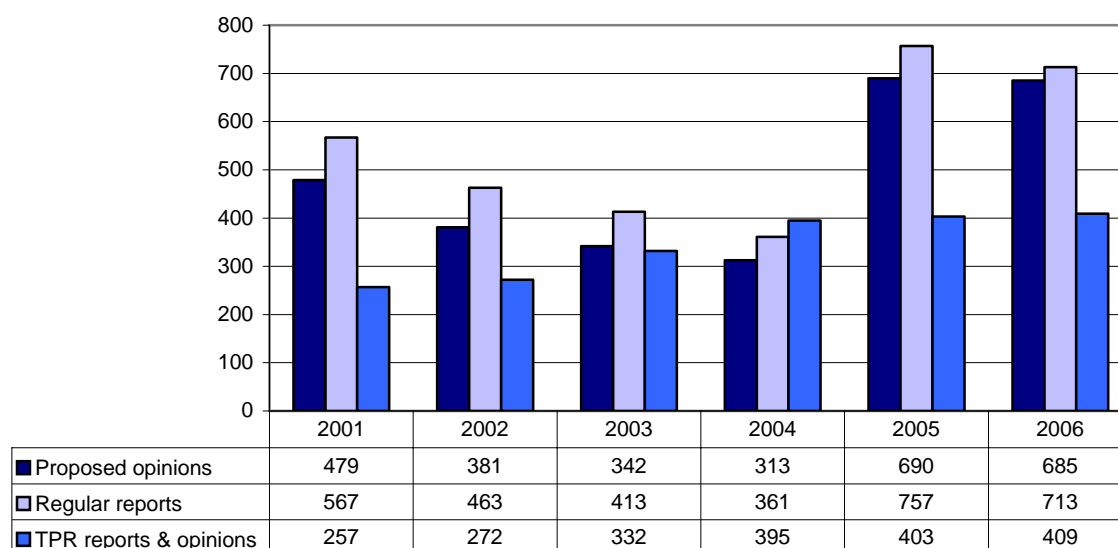
Senior research is comprised of experienced attorneys whose backgrounds typically include prehearing, judicial clerkships and private practice. Unlike prehearing, the tenure of the senior research attorneys is not for a limited duration. The primary function of these attorneys is to prepare

research reports in the longer or more complex cases for case call, as well as in termination of parental rights appeals. The content of these research reports is the same as those prepared by prehearing. The main office of senior research is located in Detroit, but several attorneys are housed in Lansing and Grand Rapids.

Contract attorneys, as their title indicates, work for the Court on a contractual basis, primarily preparing reports and opinions in routine termination of parental rights (TPR) appeals. In 2006, the contract attorneys also prepared reports and proposed opinions in some routine criminal and civil appeals. Most of the thirty-one contract attorneys previously worked for the Court in prehearing, senior research, or the commissioners office. They now work from their homes and are not otherwise engaged in the practice of law. The contract attorneys' production of reports and opinions is included with the production of senior research because their work is largely reviewed and edited by a supervising attorney in that office. The value of the contract attorney program to the Court cannot be overstated. In 2006, 581 TPR appeals were filed. Without the assistance of the contract attorneys in preparing the vast majority of reports and proposed opinions in the routine TPR appeals, these cases simply could not be processed as quickly and efficiently. Moreover, if staff attorneys were required to process the TPR appeals instead, there would be significant delay in the dispositions of other case types.

In 2006, the senior research attorneys and contract attorneys prepared 713 research reports and 685 proposed opinions in regular civil and criminal appeals, and 409 reports and opinions in TPR appeals.

Senior Research Production



Due to budget constraints, the staffs of prehearing and senior research were down slightly in 2006 compared to prior years. But the attorneys were able to improve their efficiency and actually increased the production of cases, as measured by their aggregate day evaluations.² The table below lists the average number of prehearing and senior research attorneys on staff in 2006 compared to the previous five years, as well as the aggregate and the average day evaluations of the cases during the same time period.

	Number of PH Attorneys	Number of Sr. Research Attorneys	Aggregate Day Eval of All Cases	Average Day Eval of All Cases
2001	29.5	22.2	7,475	4.42
2002	28.5	16.6	7,623	4.57
2003	32.0	15.3	8,225	4.31
2004	31.8	13.0	7,646	3.99
2005	30.3	15.1	7,727	3.97
2006	28.0	14.8	7,932	4.19

Settlement Office

The Settlement Office has been in operation for nine years and is staffed by the settlement director and an administrative assistant. Cases for the settlement program are generally selected in one of two ways. First, certain types of cases, such as personal injury/negligence, auto negligence and employment cases bearing the lower court case classification code suffix of NI, NO and CD, respectively, in which there is a judgment for the plaintiff are placed in the program automatically when the appeal is first filed. Second, the settlement director reviews docketing statements early in the appeal process to find other suitable cases including, but not limited to, contract, property, worker's compensation, condemnation, domestic relations, estate, default, etc. Additionally, counsel may, either with the agreement of opposing counsel or in a confidential manner, call the settlement office to request inclusion of their appeal(s) in the program. In 2006, twenty-two such requests were made and eight cases were accepted.

² When cases are ready for reports from the Research Division, a senior staff attorney reviews the lower court records and appellate briefs and, based on established criteria, assigns day evaluations to them. The day evaluations, which are given in whole numbers only, represent how long it should take an average prehearing attorney to complete reports in the cases. Prehearing attorneys are expected to complete their reports within the day evaluations of the cases, as measured on a monthly basis. Senior research attorneys have higher production requirements and are expected to complete the reports in about 25% less time than the day evaluations. In 2006, approximately three-quarters of all screened cases were evaluated at two to five days. But 99 cases were evaluated at 10 days or higher.

In 2006, the settlement office continued with both the general civil and the domestic relations settlement programs. Settlement was achieved in 69 of 269 cases, or 25.7% of the settlement office's workload (96 matters were still pending at year's end). The number of settled cases was slightly less than the 76 cases settled in 2005. Categorically, the settlement rates of the general civil and the domestic relations cases were 27.8% and 14.3%, respectively. The chart below summarizes the dispositions of the major case types, as indicated by the lower court case classification codes/suffixes.

SETTLEMENT CASES 2006			
Case Type	Settled	Not Settled	Success Rate
ALL CASES	69	200	25.7%
Major Case Types (by lower court suffix):			
CH	3	16	15.8%
CK	14	38	26.9%
CZ	12	28	30.0%
DM	1	20	4.8%
DO	5	16	23.8%
NF	3	9	25.0%
NH	4	7	36.4%
NI	4	12	25.0%
NO	5	8	38.5%
NZ	1	4	20.0%
Tax	2	4	33.3%
Others	15	38	28.3%

Information Systems

PACE

In 2006, administrators of the State Court Administrative Office, the Michigan Supreme Court, and the Michigan Court of Appeals worked together to develop the Performance Appraisal and Competency Evaluation (“PACE”) system, which includes behavior-based competencies that are valuable to employees in guiding their performance and to managers in completing employee performance appraisals. The Information Systems department supported the project by designing a new electronic performance appraisal tool that includes interactive evaluation templates posted on the Court’s intranet browser for use by employees and managers.

Efiling

In June 2005, the Michigan Court of Appeals opened its doors to electronic filing (e-filing) of case documents via participation in a large-scale Judicial Branch pilot project at several levels of the Michigan court system. The Court of Appeals received over 550 filings through this system. In March 2006, the Supreme Court announced its budget-based decision to discontinue support for the project effective September 30, 2006. With that announcement, the Court of Appeals Technology Committee began to investigate whether to pursue its own e-filing initiative. The Committee clarified the goals, benefits, and key factors in favor of implementing a Court of Appeals e-filing system and concluded that electronic filing is a natural evolution of Court processes, especially given the Court’s several locations in, and its jurisdiction over, such a geographically large state.

Following an in-depth survey of e-filing system vendors, the Technology Committee recommended that the Court select Wiznet's E-File & Serve system to provide electronic filing and, eventually, electronic service. The Wiznet project is divided into two phases. Phase One of E-File & Serve was implemented in October 2006 for appeals (pending or

Wiznet’s E-File & Serve system was implemented in October for appeals in Michigan Public Service Commission cases.

newly filed) arising from orders entered by the Michigan Public Service Commission. The e-filing system is available to attorneys 24 hours a day, 7 days a week. Fees and service charges are paid online through a credit card. Filed documents are formatted in searchable PDF and a special module provides Court staff with the ability to electronically review and accept filings at any Court location.

Phase Two of E-File & Serve will be implemented in mid-2007 and will include both electronic filing and electronic service of the filings on opposing counsel. Phase Two will be more integrated with the Court's case management system and the Court will have the option of expanding the project to include additional case types so that a wider range of attorneys can participate in the system.

Mappis Redesign Project

The Court's case management system that is accessible through its intranet browser, Mappis, was created in the late '90s as a web-based system developed in ASP with Oracle as the database. The CMS proved to be easily modified as Court policies and procedures evolved over time, and it served internal users well, but increasing performance limitations led in 2006 to the decision to begin a full-scale in-house redesign using Microsoft .NET as the development platform.

Rewrite Digest

In April 2006, Information Systems took the first step in the CMS redesign by focusing on the Michigan Appellate Digest, which is used internally through the Mappis intranet browser and is accessed externally through the Court's website. The Michigan Appellate Digest includes case summaries of published opinions of the Michigan Court of Appeals and Michigan Supreme Court released since January 1992. The Digest is the most current source for Michigan case research because case summaries are posted the day after each published case is released.

In 2006, surveys of internal users in the Research Division and Judicial Chambers assessed which elements of the Digest to carry forward and how to enhance their utility to users through better integration of its elements. Along with this integration, the redesign introduced same-day updating of Digest entries instead of the overnight updating that existed before. The new Digest was developed using Java running on the open source JBoss application server. External users can access the Digest on the Court's website at <http://courtofappeals.mijud.net/Digest/DigestLaunchPage.jsp>.

Reformat Court Rules from XML to PDF

The full electronic version of the Michigan Court Rules was initially launched in March 2003 and was programmed by Information Systems staff in XML format. This resource includes the full text of the Michigan Court Rules, Michigan Rules of Evidence, local court rules, rules for the Board of Law Examiners, State Bar of Michigan rules, the Michigan Code of Judicial Conduct, the Michigan Rules of Professional Conduct, and the Michigan Uniform System of Citation.

In 2006, Information Systems staff reformatted the rules from XML to PDF in order to better address user needs. The XML version could only be searched within each section; the PDF version is now fully word searchable so that one word search will elicit a list of all Rules that contain the specified text. External users can access the Rules on the Court's website at <http://courtofappeals.mijud.net/rules>.

The PDF enhancement of the Court Rules allows for full text searches across all of the documents.

Oral Argument audio recordings

By the close of 2006, oral arguments in all courtrooms were being digitally recorded and uploaded to the Court's intranet browser-based case management system for easy access by judges and staff. Information Systems staff designed the programming that supports this process using existing software on existing equipment. Now, judges and staff can use the Court's intranet browser to access recordings of argument on the morning following argument. Multiple users can access any recording at the same time, and no user needs to wait for delivery of an analog cassette recording from storage.

Changes in Grand Rapids Offices

Information Systems staff assisted in the relocation of two offices in Grand Rapids during 2006. Due to remodeling in the State Office Building, the Research Division relocated to a new floor within the building. Information Systems staff helped plan the layout of the space to best meet the technology needs of the office and, working with the State of Michigan Department of Information Technology (DIT), Information Systems staff managed the network cabling installation for the new space. New proximity card readers enhance the security of the office, and are supported by a card reader system that was installed and configured by Information Systems in collaboration with the vendor. A judicial chambers was also relocated within the Court's Grand Rapids facilities and Information Systems staff assisted with cabling and moving equipment.

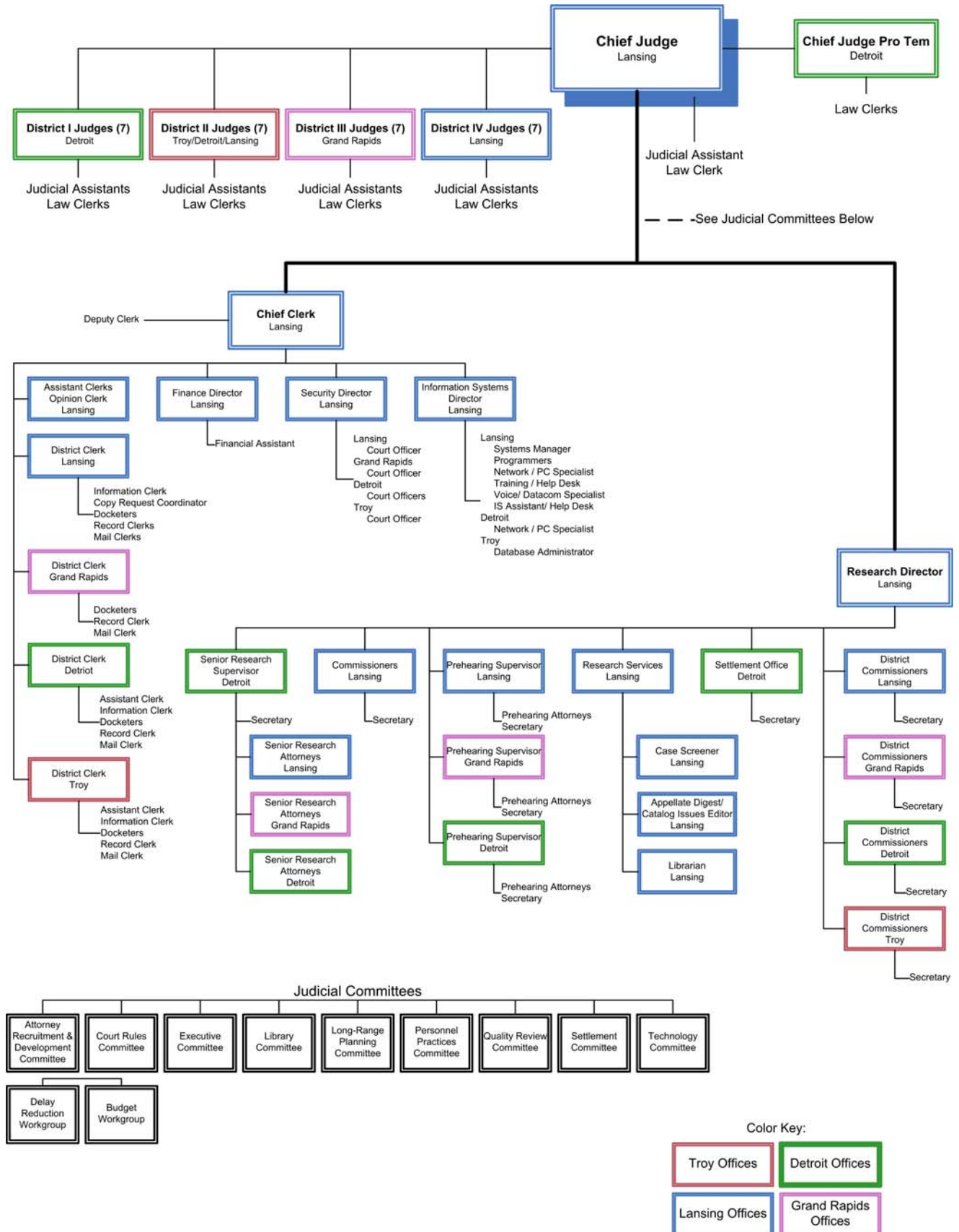
Updates to desktop PCs

When 2006 began, the desktop PCs used by judges and staff were over five years old. They had slow processors (between 733 MHZ and 1 GHz) and minimal memory (128 KB to 512 KB). By the end of 2006, Information Systems staff had made significant upgrades to the desktop computers in use at the Lansing court offices, and the other offices were slated for the same upgrades in January 2007. Notably, Court processes and procedures now run more smoothly because the PCs were

replaced with Pentium 4 3 GHz processors with 1 GB memory running Windows XP. And judges and staff are better able to read and review electronic filings and internal Court documents on 19" flat panel monitors that swivel for either portrait or landscape viewing.

IS staff spent substantial time configuring, testing and imaging the new PCs to ensure that all applications would work consistently between the different court locations. Internet Explorer 7 was installed and the Court's intranet browser system was tweaked to take advantage of Internet Explorer 7's functionality. Adobe Acrobat was installed on all desktops to provide each user with the tools to make better use of electronic filings and documents and to reduce user reliance on hard copy. Information Systems staff developed and delivered training to all judges and staff simultaneously with the installations so that the users could quickly make use of everything the new PCs offer.

Organizational Chart



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